

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

JOSE LUIS AREBALO,

Petitioner,

VS.

JAMES A COLLINS, *et al*,

Respondents.

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CIVIL ACTION NO. C-95-395

**ORDER ADOPTING MEMORANDUM AND  
RECOMMENDATION TO DENY PETITIONER'S  
MOTION FOR A CERTIFICATE OF APPEALABILITY**


On January 14, 2008, United States Magistrate Judge Brian L. Owsley signed a Memorandum and Recommendation recommending that petitioner's motion for a certificate of appealability (D.E. 19) be denied. The Memorandum and Recommendation further recommended that petitioner be advised that he may request the issuance of a certificate of appealability from a federal circuit court of appeals judge. See Fed.R.App. P, 22(b). On January 25, 2008, petitioner filed Objections to the Magistrate's Recommendations.

Having reviewed the findings of fact and conclusions of law therein, as well as the pleadings on file and petitioner's objections, and having made a *de novo* disposition of those portions of the Magistrate Judge's recommended disposition to which objections were raised, *see Koetting v. Thompson*, 995 F.2d 37 (5th Cir. 1993), 28 U.S.C. § 636(b)(1)(C); Fed.R.Civ.P.72(b), the Court hereby adopts as its own the findings and conclusions of the Magistrate Judge.

Accordingly, it is ORDERED that petitioner's motion for a certificate of appealability (D.E. 19) is denied. Petitioner is advised that he may request the issuance of a certificate of appealability from a federal circuit court of appeals judge.

The clerk shall enter this order and provide a copy to all parties.

SIGNED and ORDERED this 25th day of January, 2008.

  
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Janis Graham Jack  
United States District Judge